71

(2) Oct 16 2007

06-1705

In The

SUPREME COURT OF THE UNITED STATES

PO KEE WONG, Pro Se – PETITIONER
VS
USPTO/BPAI Solicitor-RESPONDENT

PETITION FOR AN EXTRAORDINARY WRIT TO THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT IN RE PO KEE WONG FOR CASE 03-1322 (SERIAL NO.08/980,657) ACCORDING TO RULE 44.2 FOR A PETITION FOR REHEARING SEEKING A WRIT OF MANDAMUS

PETITION FOR REHEARING OF AN EXTRAORDINARY WRIT OF MANDAMUS

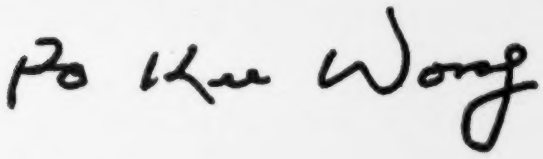
Submitted by
PO KEE WONG, Pro Se-PETITIONER
2413 Spencer Road, Silver, Maryland 20910-2344
Tel: 301-585-3453; e-MAIL:
POKWONG@VERIZON.NET

October 23, 2007

CERTIFICATE

I certify pursuant to Supreme Court Rule 44.2 that this petition for rehearing is restricted to intervening circumstances of a substantial or controlling effect or to other substantial grounds not previously presented, and that it is presented in good faith and not for delay.

Respectfully submitted to the United States Supreme Court by:



Po Kee Wong, Pro Se Petitioner
2413 Spencer Road
Silver Spring, Maryland 20910-2344 USA
Telephone: 301-585-3453
E-mail: pokwong@verizon.net

October 23, 2007

TABLE OF CONTENTS

REASONS FOR GRANTING THE PETITION FOR REHEARING: from page No. 1 to page No. 9

Reason No.1: Intervening circumstances from documents of two Supreme Court Case 06-1705 and Case 07-209.
From page 1 to page 2 of this Petition of Rehearing.

Reason No. 2: Grounds not previously presented from page 2 to page 9 of this Petition of Rehearing.

REFERENCE: page 10

CONCLUSION: page 10

CERTIFICATE: page I

REASONS FOR GRANTING THE PETITION FOR REHEARING

1. The Court should consider and grant this Petition for Rehearing based on the intervening circumstances of documents submitted to the Court both for Case 06-1705 and for Case 07-209 having been submitted to the Clerk's Office of the Court on September 18, 2007. The contents of the submission are being copied in the following:

Subject: Filing and Service of documents from various FOIA Offices of U.S. Government according to Supreme Court Rule 29.1.

Dear Mr. Suter:

Please help to enter the following attached documents requested from various FOIA Offices of U.S. government for Supreme Court Case 07-209:

(1) 2 pages of documents from Michael A. West, Esq.'s September 13, 2007 letter.

(2) 2 pages of my July 25, 20072:41 PM E-mail to FOIA Offices and News Media.

(3) 1 page of PI Information Summary from National Science Foundation FOIA Office.

(4) 2 pages of PI Information Summary from Volpe Center of DOT.

(5) 3 pages of my communication with FAA of DOT.

(6) 3 pages of PI Information Summary from DOE.

(7) 7 pages of PI Information Summary from Nuclear Regulatory Commission (NRC).

(8) 13 pages of PI Information Summary from NASA-I-218 Case.

(9) 13 pages of communication with IRS and DOD; NASA and Education Department (ED)(Linda Darby's September 13, 2007 letter attached) for joint investigations with relevance to NASA –I-218 Case and with request for a complete PI Summary Information Report from all those Offices are in progress.
PART I. – 15 pages. Entitled "IMPACTS FROM NEW SOLUTIONS OF OLD PROBLEMS IN MATHEMATICL AND EXPERIMENTAL SCIENCES."
PART II. – 20 pages entitled "REQUEST REVIEW FROM MEMBERS OF CSTB OF NATIONAL ACADEMIES."

Both documents are open technical discussions by qualified mathematicians and computer scientists on the subject matter directly related to the patent application number 08/980,657.
Respectfully submitted by
Signature of Po Kee Wong
Po Kee Wong, Pro Se Petitioner for Case 06-1705.

2. The Court should consider and grant this Petition for Rehearing based on grounds not previously presented as had been submitted and shown in many of the submitted documents in Reason Number 1.
In particular, the Pro Se Petitioner Po Kee Wong would like to ask Mr. Suter to provide 9 TI-83 calculators to

Each one of the 9 Justices to actually test the calculator's operations in performing the calculation of " High Power Functions" just for three very basic and simple numbers of positive integers 2;3;4 with using the symbol " ^ "to define the definition of "High Power Function " . The following is shown how I can make four junior and high school students in the Montgomery School District to have learned and understood the basic concept of "High Power Functions":

Given:

(A) Integer numbers 2; 3; and 4.

(B) A pair of Mathematical symbol parentheses ( )

(C) A mathematical symbol "^"to be used to define the meaning of "High Power Function"

Define:

The High power Function of First Order in the following symbolic operations from the givens as shown in the followings::

2^3=2x2x2=8 3^4=3x3x3x3=81

4^3=4x4x4=64 3^2=3x3=9

Please note that we do not need to use the given (B) to define the High Power function of first Order!!!

The given (B), symbol parentheses ( ), is specifically used to define the High Power Functions of the Higher Order (Namely, Second; third; fourth...etc .to infinite)

Now you can pick any company's calculators (for example, TI 83 Plus Calculators are now prevailingly used in all American high schools) and IBM and other main frame

computers in the world and do the following calculations of problems with and/or without using the Mathematical Symbolic Parentheses ( ):

(1) Calculate the following problems without using Parentheses ( ):

(a) 2^3^4=4096
(b) 2^4^3=4096
(c) 4^3^2=4096
(d) 4^2^3=4096

(2) Calculate the above problems using Parentheses ( ):

(e) (2^3) ^4=4096
(f) (2^4) ^3=4096
(g) (4^3) ^2=4096
(h) (4^2) ^3=4096

It is obvious from the end result of the above calculations represented by (a);(b);(c);(d);(e);(f);(g) and (h) are mixed up without a uniquely defined ONE VALUE FOR ONLY ONE SYBOLIC REPRESENTATION !!!

(3) Calculate all the above problems with parentheses ( ) again from the top downward:

(i) 2^ (3^4) =2^81=2.417851639E24
(j) 2^ (4^3) =2^64=1.844674407E19
(k) 4^ (3^2) =4^9=262144
(l) 4^ (2^3) =4^8=65536

Now please compare the final values of 4 problems in (2): (e);(f);(g);(h) and those in (3): (i);(j);(k);(l)

The latter provide the UNIQUELY DEFINED VALUES FOR EACH SYMBOLIC REPRESENTATION OF THE HIGH POWER FUNCTION

Why the UNIQUENESS of a GIVEN FUNCTION is so important? According to all text books now being used in the entire USA for Algebra II, all students should be taught to understand in Algebra II about the definition of "RELATION" and that of "FUNCTION" of a given equation of two variables namely (x, y). This can best be explained by a practical example of a given equation as shown in the following:

(x / 5)^2 + (y /4) ^2 = 1 ..... Equation (1) that is defined a "RELATION" between x and y. Equation (1) is an ellipse with x- intercepts at point (-5, 0) and at point (5, 0); with y-intercepts at point (0, 4) and at point (0,-4). Equation (1) is also defined as the locus of the sum of two straight line distances being equal to 10 from a variable point P (x, y) to two fixed focus point (-3,0) and focus point (3,0) .There are two expressions of y in terms of x when Equation (1) is resolved into Equations (2) and (3):

y = + 4 ((1-(x/5) ^2) ^ (1/2))..... Equation (2)

y = - 4 ((1-(x/5) ^2) ^ (1/2))..... Equation (3)

Equation (2) is the upper portion of the ellipse while Equation (3) is the lower portion of the ellipse.

For each given value of x, the y values can be uniquely defined in either Equation (2) or in Equation (3). By definition, therefore, Equation (1) is a "RELATION" of x and y. Equations (2) and (3) each is a "FUNCTION" of x with y. With all the above presentations of the concept of "High Power Functions", the following two Calculators with their identification Numbers are used:
Calculator TI 83 Identification Number: 33608885 I-0898J Assembled in ROC, Taiwan.
Calculator TI 83 Plus Silver Edition, Identification Number: 1294V00478 I-10038 Assembled and Made in Taiwan.
Open these two calculators and use the following Window to solve the problems of "high Power functions"
Window:
Xmin=0; Xmax=2; Xscl=1; Ymin= -3000
Ymax=5000; Yscl=1; Xres=1
Y1= (2x) ^ (3x) ^ (4x) – 3000 = 0
x=0.98901472
Y2= (2x) ^ (4x) ^ (3x) – 3000 = 0
x=0.98901472
Y3= (2x) ^ (12x^2) - 3000 = 0
x=0.98901472
It is clear that even though Y1; Y2 and Y3 all look different in representation but they end up with the same solution because the calculation of the function is started from the bottom upward that is the cause of the multiple representation of the same function. Y1 and Y2 look like "High Power Function" of SECOND ORDER but it is actually defined from Y3 as of FIRST ORDER.

Y4= (4x) ^ (3x) ^ (2x) - 3000 = 0
x=0.98609525
Y5= (4x) ^ (2x) ^ (3x) – 3000 = 0
x=0.98609525
Y6 = (4x) ^ (6x^2) – 3000 = 0
x=0.98609525
It is also very clear that even though Y4; Y5 and Y6 all look different but they also end up with the same solution, because the operation of the function is started from the bottom upward that is the cause of the multiple representation of the same function. Y4 and Y5 look like "High Power Function" of SECOND ORDER but they are actually defined from Y6 as of FIRST ORDER.
Y7 = (2x) ^ ((3x) ^ (4x)) – 3000 = 0 x = 0.80332448
Y8 = (2x) ^ ((4x) ^ (3x)) – 3000 = 0 x =0.80478357
Y9 = (4x) ^ ((3x) ^ (2x)) – 3000 = 0 x = 0.909224
Y10 = (4x) ^ ((2x) ^ (3x)) – 3000 = 0 x = 0.94334689
Here Y7; Y8; Y9 and Y10 are actual "High Power Functions" of SECOND ORDER. Therefore, each equation has its own unique solution!!!
The details of how to use the TI 83 calculators to solve all the above equations have been submitted to the Court as listed in the September 18, 2007 letter PART II documents. However, it is being repeated and shown here to convince the Supreme Court Justices to examine and to make the correct final judgment about this Case 06-1705:

Step I:
Open your TI 83 calculators and push the [WINDOW] button and type the following:
Xmin=0 ; Xmax=2 ; Xscl=1 ; Ymin = -3000
Ymax = 5000 ; Yscl =1 ; Xres = 1

Step II:
Push the [Y=] button and type the following for equations Y1;Y2:Y3;Y4...etc. The following steps are written to show how to calculate x=? from the equation Y1=(2x)^(3x)^(4x)-3000=0:
High light the equal sign [=] of Y1 by pushing the button [ENTER]. This means that you have entered the Y1 equation for plotting the curve of equation Y1.
Step III:
Push the button [GRAPH], then you will see the calculator is graphing the Y1 function.
Step IV:
Push the button [TRACE] and start repeatedly pushing the [ARROW] button pointing to the right hand side until you see from the screen showing
x = 0.9787234 y= - 746.1961 that is the last negative number below the x-axis (means y=0)
Step V:
Push the same button [TRACE] and [ARROW] button again, you see from the screen showing
x=1 y=1096
Step VI:
Push the [ARROW] button backward to the point at step IV. At x=0.9787234 y= - 746.1961

Step VII:
Push buttons [2nd] [CALC], it will show you a list for calculations: Choose number2 for ZERO and click the button [ENTER]:
Now the screen will ask you to make a choice Left Bound?
x=0.9787234 y= - 746.1961
Please click the button [ENTER]
Step VIII:
Push the right [ARROW] button. The screen will ask
Right Bound?
x=1 y=1096 Please click the button [ENTER]
Step IX:
Now the screen will ask
Guess?
x=1 y=1096 Please click the button [ENTER] again
Step X:
Now the screen will show you
Zero
x = 0.98901472 y=0
The above ten steps can be repeated to calculate the zeros of equations of other High Power Functions: Y2; Y3; Y4; Y5.....etc.

Based on the above reason number 1 : Intervening of documents in two Supreme Court Case 06-1075 and Case 07-209 and reason number 2: On grounds not previously presented, the Court should grant this Petition for Rehearing of this case 06-1075.

REFERENCES

[1] Supreme Court Document 06-1705
[2] Supreme Court Document 07-209
[3] Supreme Court Document 06-1324
[4] Supreme Court Document 03-1322
[5] Supreme Court Document 03-1227
[6] USPTO patent application serial number: 08/980,657 by PO KEE WONG
[7] USPTO document entitled " BRIEF AND SUPPLEMENTAL APPENDIX FOR APPELLE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE" by John M. Whealan; James R. Hughes; Joseph G. Piccolo, Dated: June 3, 2003.
[8] COMMONWEALTH OF MASSACHUSETTS Civil Action No. 02-3854-F ADMINISTRATIVE RECORD BY THOMAS F. REILLY, ATTORNEY GENERAL and Juliana deHaan Rice, Assistant Attorney General, Dated: November 12, 2003.

CONCLUSION

Based on all the technical contents in the above references and all open publications and discussions about 08/980,657 by the Pro Se petitioner Po Kee Wong with that the contents had been confirmed and verified by qualified mathematicians worldwide but not known to the two lower levels of two U.S. Judicial Courts since 1993, it is about time for the U.S. Supreme Court to act appropriately according to the Supreme Court Rule 44.2 to issue an order to Solicitor General Paul D. Clement to act and complete the issuance and allowance of the patent application serial number 08/980,657 without further delay.